

110TH CONGRESS
2D SESSION

H. R. 6483

To provide for duty free treatment of certain recreational performance
outerwear, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2008

Mr. BLUMENAUER (for himself and Mr. MATHESON) introduced the following
bill; which was referred to the Committee on Ways and Means, and in
addition to the Committee on Science and Technology, for a period to be
subsequently determined by the Speaker, in each case for consideration
of such provisions as fall within the jurisdiction of the committee con-
cerned

A BILL

To provide for duty free treatment of certain recreational
performance outerwear, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recreational Perform-
5 ance Outerwear Apparel Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The outdoor industry contributes
2 \$730,000,000,000 to the United States economy an-
3 nually.

4 (2) Outdoor activities are vitally important to
5 the health and well-being of all Americans.

6 (3) Duty rates on performance apparel are
7 among the highest imposed by the United States
8 Government, with some as high as 28.2 percent.

9 (4) Average collected duties on recreational per-
10 formance apparel totaled an estimated \$70,000,000
11 during 2007.

12 (5) The duties currently imposed by the United
13 States were set in an era during which high rates of
14 duty were intended to protect United States produc-
15 tion of other apparel, and before the technologies
16 and innovations were developed to create today's
17 performance apparel industry.

18 (6) The International Trade Commission (ITC)
19 has confirmed in USITC Publication 3937 dated
20 July 2007 that United States production of rec-
21 reational performance apparel is less than one per-
22 cent of the total Recreational Performance Outer-
23 wear market and therefore concluded that there is
24 no commercially viable United States production of
25 recreational use performance apparel.

1 (7) The Committee for the Implementation of
2 Textile Agreements (CITA) in 70 Fed. Reg. 210 (1
3 November 2005) confirmed that imports of certain
4 recreational performance apparel do not contribute
5 to domestic market disruption or adversely affect
6 United States textile and apparel producers.

7 (8) There is no commercially viable production
8 in the United States of recreational performance ap-
9 parel as defined under this Act.

10 (9) The elimination of duties on the importation
11 of certain recreational performance apparel would
12 provide an economic benefit to United States con-
13 sumers of outdoor products and would promote in-
14 creased participation in healthy and active lifestyles.

15 **SEC. 3. KNIT APPAREL AND ACCESSORIES.**

16 (a) DEFINITIONS.—The Additional U.S. Note to
17 Chapter 61 of the Harmonized Tariff Schedule of the
18 United States is amended—

19 (1) by striking “Additional U.S. Note” and in-
20 serting “Additional U.S. Notes”; and

21 (2) by adding at the end the following new
22 notes:

23 “2. For purposes of this chapter, the term ‘rec-
24 reational performance outerwear’ means pants (including,
25 but not limited to, paddling pants, ski or snowboard pants,

1 and ski or snowboard pants intended for sale as parts of
2 ski suits), coveralls and bib overalls, and jackets (includ-
3 ing, but not limited to, full zip jackets, paddling jackets,
4 ski jackets, and ski jackets intended for sale as parts of
5 ski suits), windbreakers, and similar articles (including
6 padded, sleeveless jackets), the outer surface of which is
7 predominately composed of knit fabrics of cotton, wool,
8 hemp, bamboo, silk, or manmade fiber, or a combination
9 of such fibers, that are water-resistant, visibly coated, or
10 any combination thereof, with critically sealed seams, with
11 5 or more of the following options:

12 “(a) Insulation for cold weather protection.

13 “(b) Pockets, at least one of which has a
14 zippered, hook and loop, or other type of closure.

15 “(c) Elastic, drawcord, or other means of tight-
16 ening around the waist or leg hems, including hid-
17 den leg sleeves with a means of tightening at the
18 ankle for pants and tightening around the waist or
19 bottom hem for jackets.

20 “(d) Venting.

21 “(e) Articulated elbows or knees.

22 “(f) Reinforcement in one of the following
23 areas: the elbows, shoulders, seat, knees, or ankles
24 or cuffs.

25 “(g) Weatherproof closure at the waist or front.

1 “(h) Multi-adjustable hood or collar.

2 “(i) Adjustable powder, inner protective skirt,
3 or adjustable inner protective cuff at sleeve hem.

4 “(j) Construction at the arm gusset that utilizes
5 fabric, design, or patterning to ensure radial arm
6 movement.

7 “(k) Odor control technology.

8 The term ‘recreational performance outerwear’ does not
9 include occupational outerwear.

10 “3. For purposes of Additional U.S. Note 2, the fol-
11 lowing terms have the following meanings:

12 “(a) The term ‘absorption’ means the process
13 of gases or liquids being taken up into the pores of
14 textile fibers, yarns, fabrics, or any other material.

15 “(b) The terms ‘adjustable powder’ and ‘inner
16 protective skirt’ refer to a partial lower inner lining
17 with means of tightening around the waist for addi-
18 tional protection from the elements.

19 “(c) The term ‘adsorption’ means the attraction
20 of gases, liquids, or solids to surface areas of textile
21 fibers, yarns, fabrics, or any other material.

22 “(d) The term ‘articulated elbows or knees’ re-
23 fers to the construction of a sleeve (or pant leg) to
24 allow improved mobility at the elbow (or knee)

1 through the use of extra seams, darts, gussets, or
2 other means.

3 “(e) The term ‘critically sealed seams’ means—

4 “(i) for jackets, sealed seams that are
5 sealed at the shoulders, or arm holes, or both,
6 and at any front and back yokes, and

7 “(ii) for pants, sealed seams that are
8 sealed at the front (up to the zipper or other
9 means of closure) and back rise.

10 “(f) The term ‘insulation for cold weather pro-
11 tection’ means insulation with either synthetic fill,
12 down, a laminated thermal backing, or other lining
13 for thermal protection from cold weather.

14 “(g) The term ‘multi-adjustable hood or adjust-
15 able collar’ means a draw cord, adjustment tab, or
16 elastic incorporated into the hood or collar construc-
17 tion to allow volume adjustments around the crown
18 of the head or neck.

19 “(h) The term ‘odor control technology’ means
20 a technology in a fabric or garment capable of ad-
21 sorbing, absorbing, or changing the chemical source
22 of human odors, including the use of activated car-
23 bon, silver, copper, or any combination thereof.

24 “(i) The term ‘occupational outerwear’ means
25 outerwear garments intended for use in the work-

1 place or as uniforms. Such garments are designed
2 for, and normally worn by workers that include, but
3 are not limited to, military, law enforcement, fire,
4 rescue, emergency, industrial, residential, safety,
5 healthcare, and government workers (excluding rec-
6 reational workers) and provide durable protection
7 from cold or inclement weather, as well as safety
8 from workplace hazards, such as, fire, electrical, ab-
9 rasion, chemicals, impacts, cuts, punctures, or simi-
10 lar hazards.

11 “(j) The term ‘radial arm movement’ refers to
12 the ability for unrestricted, 180-degree range of mo-
13 tion for the arm while wearing a performance outer-
14 wear jacket.

15 “(k) The term ‘reinforcement’ refers to the use
16 of a double layer of fabric or application of fabric
17 that is abrasion-resistant, heavier, or more durable
18 than the predominant or face fabric of the garment.

19 “(l) The term ‘sealed seam’ means a seam that
20 has been covered by means of taping, gluing, bond-
21 ing, cementing, fusing, welding, or a similar process
22 so that water cannot pass through it when tested in
23 accordance with AATCC Test Method 35–1985.

24 “(m) The term ‘technical fabrics’ means textile
25 products that have special functionality such as

1 those used in industrial, aerospace, military, marine,
2 outdoor, medical, construction, geotextile, transpor-
3 tation, and high technology applications.

4 “(n) The term ‘venting’ refers to closeable or
5 permanent constructed openings in a garment (ex-
6 cluding front, primary zipper closures) to allow in-
7 creased expulsion of built-up heat during outdoor ac-
8 tivities. In a jacket, the openings are often posi-
9 tioned on the underarm seam of a garment but may
10 also be placed along other seams in the front or back
11 of a garment. In pants, the openings are often posi-
12 tioned on the inner or outer leg seams of a garment
13 but may also be placed along other seams in the
14 front or back of a garment.

15 “(o) The term ‘visibly coated’ refers to fabric
16 that is impregnated, coated, covered, or laminated
17 with plastics.

18 “(p) The term ‘water resistant’ means that a
19 garment must have a water resistance (see ASTM
20 designations D 3600–81 and D 3781–79) such that,
21 under a head pressure of 600 millimeters, not more
22 than 1.0 gram of water penetrates after two minutes
23 when tested in accordance with AATCC Test Meth-
24 od 35–1985. This water resistance is the result of

1 a rubber or plastics application to the outer shell,
2 lining, or inner lining.

3 “(q) The term ‘weatherproof closure’ means a
4 closure (including, but not limited to, laminated or
5 coated zippers, storm flaps, or other weatherproof
6 construction) that has been reinforced or engineered
7 in a manner to reduce the penetration or absorption
8 of moisture, air, and inclement weather through an
9 opening in the garment.

10 “4. For purposes of this chapter, goods meeting the
11 definition of ‘recreational performance outerwear’ shall be
12 classified under the subheading which provides for ‘rec-
13 reational performance outerwear’ regardless of whether it
14 may also be classified under other provisions of this
15 Schedule.

16 “5. For purposes of this chapter, goods claimed as
17 ‘recreational performance outerwear’ shall identify on
18 entry of the goods whether the outer surface is water-re-
19 sistant, visibly-coated, or a combination thereof, plus the
20 specific features that make the goods eligible for entry as
21 recreational performance outerwear.”.

22 (b) TARIFF CLASSIFICATIONS.—Chapter 61 of the
23 Harmonized Tariff Schedule of the United States is
24 amended as follows:

1 (1) By striking subheading 6101.20.00 and in-
 2 serting the following, with the article description for
 3 subheading 6101.20 having the same degree of in-
 4 dentation as the article description for subheading
 5 6101.30:

“	6101.20	Of cotton:				
	6101.20.05	Recreational performance				
	6101.20.10	Other	Free		50%	
		outerwear	15.9%	Free (BH, CA, CL, IL, JO, MX, P, SG) 4.8% (MA) 15.5% (AU)		”.

6 (2) By striking subheading 6102.10.00 and in-
 7 serting the following, with the article description for
 8 subheading 6012.10 having the same degree of in-
 9 dentation as the article description for subheading
 10 6102.30:

“	6102.10	Of wool or fine animal hair:				
	6102.10.05	Recreational performance				
	6102.10.10	Other	Free		68.3¢kg + 54.5%	
		outerwear	55.9¢kg + 16.4%	Free (BH, CA, CL, IL, JO, MX, P, SG) 17.1¢kg + 5% (MA) 15.5% (AU)		”.

11 (3) By striking subheading 6201.20.00 and in-
 12 serting the following, with the article description for
 13 subheading 6102.10 having the same degree of in-
 14 dentation as the article description for subheading
 15 6102.30:

“	6102.20	Of cotton:				
	6102.20.05	Recreational performance				
	6102.20.10	Other	Free		50%	
		outerwear	15.9%	Free (BH, CA, CL, IL, JO, MX, P, SG) 4.8% (MA) 15.5% (AU)		”.

1 (4) By striking subheading 6104.61.00 and in-
 2 serting the following, with the article description for
 3 subheading 6104.61 having the same degree of in-
 4 dentation as the article description for subheading
 5 6104.59:

“	6104.61	Trousers, bib and brace overalls, breeches and shorts:					
	6104.61.05	Recreational performance outerwear	Free			54.5%	
	6104.61.10	Of wool or fine animal hair	14.9%	Free (BH, CA, CL, IL, JO, MX, P, SG) 4.5% (MA) 13.4% (AU)		54.5%	”.

6 (5) By striking subheading 6114.20.00 and in-
 7 serting the following, with the article description for
 8 subheading 6114.20 having the same degree of in-
 9 dentation as the article description for subheading
 10 6114.30:

“	6114.20	Of cotton:					
	6114.20.05	Recreational performance outerwear	Free			90%	
	6114.20.10	Other	10.8%	Free (BH, CA, CL, IL, JO, MX, P, SG) 3.2% (MA) 9.7% (AU)		90%	”.

11 (c) ADDITIONAL TARIFF CLASSIFICATIONS.—Chap-
 12 ter 61 of the Harmonized Tariff Schedule of the United
 13 States is further amended as follows:

14 (1) By inserting in numerical sequence the fol-
 15 lowing new subheading, with the article description
 16 having the same degree of indentation as the article
 17 description for subheading 6101.30.10:

“	6101.30.05	Recreational performance outerwear	Free		35%	”.
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1 (2) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6101.90.05:

“ | 6101.90.01 | Recreational performance outerwear | Free | | 45% | ”.

5 (3) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6102.30.05:

“ | 6102.30.01 | Recreational performance outerwear | Free | | 35% | ”.

9 (4) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6102.90.10:

“ | 6102.90.05 | Recreational performance outerwear | Free | | 45% | ”.

13 (5) By inserting in numerical sequence the fol-
 14 lowing new subheading, with the article description
 15 having the same degree of indentation as the article
 16 description for subheading 6103.41.10:

“ | 6103.41.05 | Recreational performance outerwear | Free | | 77.2¢/kg + 54.5% | ”.

17 (6) By inserting in numerical sequence the fol-
 18 lowing new subheading, with the article description
 19 having the same degree of indentation as the article
 20 description for subheading 6103.42.10:

“ | 6103.42.05 | Recreational performance outerwear | Free | | 45% | ”.

1 (7) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6103.43.10:

“ | 6103.43.05 | Recreational performance outerwear | Free | | 77.2¢/kg +
 54.5% | ”.

5 (8) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6103.49.10:

“ | 6103.49.05 | Recreational performance outerwear | Free | | 72% | ”.

9 (9) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6104.62.10:

“ | 6104.62.05 | Recreational performance outerwear | Free | | 90% | ”.

13 (10) By inserting in numerical sequence the fol-
 14 lowing new subheading, with the article description
 15 having the same degree of indentation as the article
 16 description for subheading 6104.63.10:

“ | 6104.63.05 | Recreational performance outerwear | Free | | 72% | ”.

17 (11) By inserting in numerical sequence the fol-
 18 lowing new subheading, with the article description
 19 having the same degree of indentation as the article
 20 description for subheading 6104.69.05:

“ | 6104.69.05 | Recreational performance outerwear | Free | | 72% | ”.

1 (12) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6112.20.10:

“ | 6112.20.05 | Recreational performance outerwear | Free | | 72% | ”.

5 (13) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6113.00.10:

“ | 6113.00.05 | Recreational performance outerwear | Free | | 65% | ”.

9 (14) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6114.30.20:

“ | 6114.30.25 | Recreational performance outerwear | Free | | 90% | ”.

13 (15) By inserting in numerical sequence the fol-
 14 lowing new subheading, with the article description
 15 having the same degree of indentation as the article
 16 description for subheading 6114.90.05:

“ | 6114.90.01 | Recreational performance outerwear | Free | | 90% | ”.

17 **SEC. 4. APPAREL ARTICLES AND ACCESSORIES OF OTHER**
 18 **MATERIALS.**

19 (a) NOTES.—The Additional U.S. Notes to chapter
 20 62 of the Harmonized Tariff Schedule of the United
 21 States is amended—

1 (1) in Additional U.S. Note 2, by striking “For
2 purposes of subheadings” and all that follows
3 through “6211.20.15” and inserting “For purposes
4 of this chapter”; and

5 (2) by adding at the end the following new
6 notes:

7 “3. For purposes of this chapter, the term ‘re-
8 creational performance outerwear’ means pants (including,
9 but not limited to, paddling pants, ski or snowboard pants,
10 and ski or snowboard pants intended for sale as parts of
11 ski suits), coveralls and bib overalls, and jackets (includ-
12 ing, but not limited to, full zip jackets, paddling jackets,
13 ski jackets, and ski jackets intended for sale as parts of
14 ski suits), windbreakers, and similar articles (including
15 padded, sleeveless jackets), the outer surface of which is
16 predominately composed of woven fabrics of cotton, wool,
17 hemp, bamboo, silk, or manmade fiber, or a combination
18 of such fibers, that are water-resistant, visibly coated, or
19 any combination thereof, with critically sealed seams, with
20 5 or more of the following options:

21 “(a) Insulation for cold weather protection.

22 “(b) Pockets, at least one of which has a
23 zippered, hook and loop, or other type of closure.

24 “(c) Elastic, drawcord, or other means of tight-
25 ening around the waist or leg hems, including hid-

1 den leg sleeves with a means of tightening at the
2 ankle for pants and tightening around the waist or
3 bottom hem for jackets.

4 “(d) Venting.

5 “(e) Articulated elbows or knees.

6 “(f) Reinforcement in one of the following
7 areas: the elbows, shoulders, seat, knees, or ankles
8 or cuffs.

9 “(g) Weatherproof closure at the waist or front.

10 “(h) Multi-adjustable hood or collar.

11 “(i) Adjustable powder, inner protective skirt,
12 or adjustable inner protective cuff at sleeve hem.

13 “(j) Construction at the arm gusset that utilizes
14 fabric, design, or patterning to ensure radial arm
15 movement.

16 “(k) Odor control technology.

17 The term ‘recreational performance outerwear’ does not
18 include occupational outerwear.

19 “4. For purposes of Additional U.S. Note 3, the fol-
20 lowing terms have the following meanings:

21 “(a) The term ‘absorption’ means the process
22 of gases or liquids being taken up into the pores of
23 textile fibers, yarns, fabrics, or any other material.

24 “(b) The terms ‘adjustable powder’ and ‘inner
25 protective skirt’ refer to a partial lower inner lining

1 with means of tightening around the waist for addi-
2 tional protection from the elements.

3 “(c) The term ‘adsorption’ means the attraction
4 of gases, liquids, or solids to surface areas of textile
5 fibers, yarns, fabrics, or any other material.

6 “(d) The term ‘articulated elbows or knees’ re-
7 fers to the construction of a sleeve (or pant leg) to
8 allow improved mobility at the elbow (or knee)
9 through the use of extra seams, darts, gussets, or
10 other means.

11 “(e) The term ‘critically sealed seams’ means—

12 “(i) for jackets, sealed seams that are
13 sealed at the shoulders, or arm holes, or both,
14 and at any front and back yokes, and

15 “(ii) for pants, sealed seams that are
16 sealed at the front (up to the zipper or other
17 means of closure) and back rise.

18 “(f) The term ‘insulation for cold weather pro-
19 tection’ means insulation with either synthetic fill,
20 down, a laminated thermal backing, or other lining
21 for thermal protection from cold weather.

22 “(g) The term ‘multi-adjustable hood or adjust-
23 able collar’ means a draw cord, adjustment tab, or
24 elastic incorporated into the hood or collar construc-

1 tion to allow volume adjustments around the crown
2 of the head or neck.

3 “(h) The term ‘odor control technology’ means
4 a technology in a fabric or garment capable of ad-
5 sorbing, absorbing, or changing the chemical source
6 of human odors, including the use of activated car-
7 bon, silver, copper, or any combination thereof.

8 “(i) The term ‘occupational outerwear’ means
9 outerwear garments intended for use in the work-
10 place or as uniforms. Such garments are designed
11 for, and normally worn by workers that include, but
12 are not limited to, military, law enforcement, fire,
13 rescue, emergency, industrial, residential, safety,
14 healthcare, and government workers (excluding rec-
15 reational workers) and provide durable protection
16 from cold or inclement weather, as well as safety
17 from workplace hazards, such as, fire, electrical, ab-
18 rasion, chemicals, impacts, cuts, punctures, or simi-
19 lar hazards.

20 “(j) The term ‘radial arm movement’ refers to
21 the ability for unrestricted, 180 degree range of mo-
22 tion for the arm while wearing a performance outer-
23 wear jacket.

24 “(k) The term ‘reinforcement’ refers to the use
25 of a double layer of fabric or application of fabric

1 that is abrasion-resistant, heavier, or more durable
2 than the predominant or face fabric of the garment.

3 “(l) The term ‘sealed seam’ means a seam that
4 has been covered by means of taping, gluing, bond-
5 ing, cementing, fusing, welding, or a similar process
6 so that water cannot pass through it when tested in
7 accordance with AATCC Test Method 35–1985.

8 “(m) The term ‘technical fabrics’ means textile
9 products that have special functionality such as
10 those used in industrial, aerospace, military, marine,
11 outdoor, medical, construction, geotextile, transpor-
12 tation, and high technology applications.

13 “(n) The term ‘venting’ refers to closeable or
14 permanent constructed openings in a garment (ex-
15 cluding front, primary zipper closures) to allow in-
16 creased expulsion of built-up heat during outdoor ac-
17 tivities. In a jacket, the openings are often posi-
18 tioned on the underarm seam of a garment but may
19 also be placed along other seams in the front or back
20 of a garment. In pants, the openings are often posi-
21 tioned on the inner or outer leg seams of a garment
22 but may also be placed along other seams in the
23 front or back of a garment.

1 “(o) The term ‘visibly coated’ refers to fabric
2 that is impregnated, coated, covered, or laminated
3 with plastics.

4 “(p) The term ‘weatherproof closure’ means a
5 closure (including, but not limited to, laminated or
6 coated zippers, storm flaps, or other weatherproof
7 construction) that has been reinforced or engineered
8 in a manner to reduce the penetration or absorption
9 of moisture, air, and inclement weather through an
10 opening in the garment.

11 “5. For purposes of this chapter, goods meeting the
12 definition of ‘recreational performance outerwear’ shall be
13 classified under the subheading which provides for ‘rec-
14 reational performance outerwear’ regardless of whether it
15 may also be classified under other provisions of this
16 Schedule.

17 “6. For purposes of this chapter, goods claimed as
18 ‘recreational performance outerwear’ shall identify on
19 entry of the goods whether the outer surface is water-re-
20 sistant, visibly-coated, or a combination thereof, plus the
21 specific features that make the goods eligible for entry as
22 recreational performance outerwear.”.

23 (b) TARIFF CLASSIFICATIONS.—Chapter 62 of the
24 Harmonized Tariff Schedule of the United States is
25 amended as follows:

1 (1) By striking subheading 6201.11.00 and in-
 2 serting the following, with the article description for
 3 subheading 6201.11 having the same degree of in-
 4 dentation as the article description for subheading
 5 6201.12:

“	6201.11	Of wool or fine animal hair:			
	6201.11.05	Recreational performance			
	6201.11.10	Other	Free		52.9¢/kg + 58.5%
			41¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MX, P, SG) 12.6¢/kg + 5% (MA) 15.5% (AU)	52.9¢/kg + 58.5%
					”.

6 (2) By striking subheading 6202.11.00 and in-
 7 serting the following, with the article description for
 8 subheading 6201.11 having the same degree of in-
 9 dentation as the article description for subheading
 10 6202.12:

“	6202.11	Of wool or fine animal hair:			
	6202.11.05	Recreational performance			
	6202.11.10	Other	Free		46.3¢/kg + 58.5%
			41¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MX, P, SG) 12.6¢/kg + 5% (MA) 15.5% (AU)	46.3¢/kg + 58.5%
					”.

11 (3) By striking subheadings 6203.41 and
 12 6203.41.05 and inserting the following, with the ar-
 13 ticle description for subheading 6203.41.05 having
 14 the same degree of indentation as the article descrip-
 15 tion for subheading 6203.41.20:

“	6203.41	Of wool or fine animal hair:			
	6203.41.05	Recreational performance			
		outerwear	Free		52.9¢/kg + 58.5%
		Trousers, breeches, and shorts:			

6203.41.10	Trousers, breeches, or shorts containing elastomeric fiber, water resistant, without beltloops, weighing more than 9 kg per dozen	7.6%	Free (BH, CA, CL, IL, JO, MX, P, SG) 2.2% (MA) 6.8% (AU)	52.9¢/kg + 58.5%	”.
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1 (4) By striking subheadings 6211.20 and
2 6211.20.04 and inserting the following, with the ar-
3 ticle description for subheading 6211.20.04 having
4 the same degree of indentation as the article descrip-
5 tion for subheading 6211.20.08:

“	6211.20 6211.20.02	Ski-suits: Recreational performance outerwear	Free	60%	
		Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down:			
	6211.20.04	Anoraks (including ski-jackets), windbreakers and similar articles (including padded, sleeveless jackets) imported as parts of suits	0.7%	Free (AU, BH, CA, CL, E*, IL, JO, MX, P, SG) 0.3% (MA)	60% ”.

6 (5) By striking subheading 6211.32.00 and in-
7 serting the following, with the article description for
8 subheading 6211.32 having the same degree of in-
9 dentation as the article description for subheading
10 6211.32.00 (as in effect on the day before the date
11 of the enactment of this Act):

“	6211.32	Of cotton:				
	6211.32.05	Recreational performance outerwear	Free		90%	
	6211.32.10	Other	8.1%	Free (AU, BH, CA, CL, IL, JO, MX, P, SG) 2.4% (MA)	90%	”.

1 (6) By striking subheading 6211.33.00 and in-
2 serting the following, with the article description for
3 subheading 6211.33 having the same degree of in-
4 dentation as the article description for subheading
5 6211.33.00 (as in effect on the day before the date
6 of the enactment of this Act):

“	6211.33	Of man-made fibers:				
	6211.33.05	Recreational performance outerwear	Free		76%	
	6211.33.10	Other	16%	Free (AU, BH, CA, CL, IL, JO, MX, P, SG) See 9912.62.99– 9912.63.00 (MA)	76%	”.

7 (7) By striking subheadings 6211.39 and
8 6211.39.05 and inserting the following, with the ar-
9 ticle description for subheading 6211.39 having the
10 same degree of indentation as the article description
11 for subheading 6211.39 (as in effect on the day be-
12 fore the date of the enactment of this Act):

“	6211.39	Of other textile materials:				
	6211.39.04	Recreational performance outerwear	Free			
	6211.39.08	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, IL, JO, MX, P, SG) 3.7% (MA)	58.5%	”.

13 (8) By striking subheading 6211.41.00 and in-
14 serting the following, with the article description for

1 subheading 6211.41 having the same degree of in-
 2 dentation as the article description for subheading
 3 6211.41.00 (as in effect on the day before the date
 4 of the enactment of this Act):

“	6211.41	Of wool or fine animal hair:					
	6211.41.05	Recreational performance					
		outerwear	Free			58.5%	
	6211.41.10	Other	12%				
				Free (BH, CA, CL, IL, JO, MX, P, SG) 3.7% (MA) 10.8% (AU)		58.5%	”.

5 (9) By striking subheading 6211.42.00 and in-
 6 serting the following, with the article description for
 7 subheading 6211.42 having the same degree of in-
 8 dentation as the article description for subheading
 9 6211.42.00 (as in effect on the day before the date
 10 of the enactment of this Act):

“	6211.42	Of cotton:					
	6211.42.05	Recreational performance					
		outerwear	Free			90%	
	6211.42.10	Other	8.1%				
				Free (BH, CA, CL, IL, JO, MX, P, SG) 7.2% (AU) See 9912.63.01– 9912.63.02 (MA)		90%	”.

11 (10) By striking subheading 6211.43.00 and in-
 12 serting the following, with the article description for
 13 subheading 6211.43 having the same degree of in-
 14 dentation as the article description for subheading
 15 6211.43.00 (as in effect on the day before the date
 16 of the enactment of this Act):

“	6211.43	Of man-made fibers:					
	6211.43.05	Recreational performance					
		outerwear	Free			90%	”.

6211.43.10	Other	16%	Free (BH, CA, CL, IL, JO, MX, P, SG) 4.8% (MA) 15.5% (AU)	90%	”.
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(c) ADDITIONAL CLASSIFICATIONS.—Chapter 62 of the Harmonized Tariff Schedule of the United States is further amended as follows:

(1) By inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6201.12.10:

“ | 6201.12.05 | Recreational performance outerwear | Free | | 60% | ”.

(2) By inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6201.13.10:

“ | 6201.13.05 | Recreational performance outerwear | Free | | 60% | ”.

(3) By inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6201.19.10:

“ | 6201.19.05 | Recreational performance outerwear | Free | | 35% | ”.

(4) By inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6201.91.10:

“ | 6201.91.05 | Recreational performance outerwear | Free | | 58.5% | ”.

1 (5) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6201.92.10:

“ | 6201.92.05 | Recreational performance outerwear | Free | | 60% | ”.

5 (6) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6201.93.10:

“ | 6201.93.05 | Recreational performance outerwear | Free | | 60% | ”.

9 (7) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6201.99.10:

“ | 6201.99.05 | Recreational performance outerwear | Free | | 35% | ”.

13 (8) By inserting in numerical sequence the fol-
 14 lowing new subheading, with the article description
 15 having the same degree of indentation as the article
 16 description for subheading 6202.12.10:

“ | 6202.12.05 | Recreational performance outerwear | Free | | 60% | ”.

17 (9) By inserting in numerical sequence the fol-
 18 lowing new subheading, with the article description
 19 having the same degree of indentation as the article
 20 description for subheading 6202.13.10:

“ | 6202.13.05 | Recreational performance outerwear | Free | | 60% | ”.

1 (10) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6202.19.10:

“ | 6202.19.05 | Recreational performance outerwear | Free | | 35% | ”.

5 (11) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6202.91.10:

“ | 6202.91.05 | Recreational performance outerwear | Free | | 58.5% | ”.

9 (12) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6202.92.10:

“ | 6202.92.05 | Recreational performance outerwear | Free | | 60% | ”.

13 (13) By inserting in numerical sequence the fol-
 14 lowing new subheading, with the article description
 15 having the same degree of indentation as the article
 16 description for subheading 6202.93.10:

“ | 6202.93.05 | Recreational performance outerwear | Free | | 60% | ”.

17 (14) By inserting in numerical sequence the fol-
 18 lowing new subheading, with the article description
 19 having the same degree of indentation as the article
 20 description for subheading 6202.99.10:

“ | 6202.99.05 | Recreational performance outerwear | Free | | 35% | ”.

1 (15) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6203.42.10:

“ | 6203.42.05 | Recreational performance outerwear | Free | | 60% | ”.

5 (16) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6203.43.10:

“ | 6203.43.05 | Recreational performance outerwear | Free | | 60% | ”.

9 (17) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6203.49.10:

“ | 6203.49.05 | Recreational performance outerwear | Free | | 76% | ”.

13 (18) By inserting in numerical sequence the fol-
 14 lowing new subheading, with the article description
 15 having the same degree of indentation as the article
 16 description for subheading 6204.61.10:

“ | 6204.61.05 | Recreational performance outerwear | Free | | 58.5% | ”.

17 (19) By inserting in numerical sequence the fol-
 18 lowing new subheading, with the article description
 19 having the same degree of indentation as the article
 20 description for subheading 6204.62.10:

“ | 6204.62.05 | Recreational performance outerwear | Free | | 60% | ”.

1 (20) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6204.63.10:

“ | 6204.63.05 | Recreational performance outerwear | Free | | 60% | ”.

5 (21) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6204.69.10:

“ | 6204.69.05 | Recreational performance outerwear | Free | | 76% | ”.

9 (22) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6210.10.20:

“ | 6210.10.05 | Recreational performance outerwear | Free | | 26.5% | ”.

13 (23) By inserting in numerical sequence the fol-
 14 lowing new subheading, with the article description
 15 having the same degree of indentation as the article
 16 description for subheading 6210.20.30:

“ | 6210.20.05 | Recreational performance outerwear | Free | | 65% | ”.

17 (24) By inserting in numerical sequence the fol-
 18 lowing new subheading, with the article description
 19 having the same degree of indentation as the article
 20 description for subheading 6210.30.30:

“ | 6210.30.05 | Recreational performance outerwear | Free | | 65% | ”.

1 (25) By inserting in numerical sequence the fol-
 2 lowing new subheading, with the article description
 3 having the same degree of indentation as the article
 4 description for subheading 6210.40.30:

“ | 6210.40.05 | Recreational performance outerwear | Free | | 65% | ”.

5 (26) By inserting in numerical sequence the fol-
 6 lowing new subheading, with the article description
 7 having the same degree of indentation as the article
 8 description for subheading 6210.50.30:

“ | 6210.50.05 | Recreational performance outerwear | Free | | 65% | ”.

9 (27) By inserting in numerical sequence the fol-
 10 lowing new subheading, with the article description
 11 having the same degree of indentation as the article
 12 description for subheading 6211.49.10:

“ | 6211.49.05 | Recreational performance outerwear | Free | | 35% | ”.

13 **SEC. 5. SUSTAINABLE TEXTILE AND APPAREL RESEARCH**
 14 **FUND.**

15 (a) ESTABLISHMENT.—There is established in the
 16 Treasury of the United States the Sustainable Textile and
 17 Apparel Research Fund (in this section referred to as the
 18 “STAR Fund”) for a period of 10 years beginning on the
 19 date of the enactment of this Act.

20 (b) DEPOSITS.—There shall be deposited into the
 21 STAR Fund amounts equal to the fees collected on rec-
 22 reational performance outerwear under subsection (d).

1 (c) BOARD OF DIRECTORS.—The STAR Fund shall
2 be administered by a board of directors (in this section
3 referred to as the “Board”) composed of the following
4 members:

5 (1) The Secretary of Commerce.

6 (2) Four individuals, familiar with the perform-
7 ance textile industry, including the production of
8 raw materials and the finished products thereof, who
9 shall be appointed by the President. At least three
10 such members shall be representatives of entities
11 that pay the fees imposed upon the importation of
12 recreational performance outerwear under subsection
13 (d).

14 (d) FUNDING.—

15 (1) FEE.—In addition to any other fee author-
16 ized by law, the Secretary of the Treasury shall
17 charge and collect upon entry for consumption, or
18 withdrawal for consumption, a fee of 1.5 percent of
19 the appraised value of imported goods (as deter-
20 mined under section 402 of the Tariff Act of 1930;
21 19 U.S.C. 1401a) that are classifiable under the
22 Harmonized Tariff Schedule of the United States as
23 recreational performance outerwear as defined in
24 U.S. Note 2 to chapter 61 and U.S. Note 3 to chap-

1 ter 62 of the Harmonized Tariff Schedule of the
2 United States.

3 (2) EXCLUSIONS.—The assessment of fees
4 under paragraph (1) shall not apply to imports of
5 recreational performance outerwear from the fol-
6 lowing:

7 (A) Any country that is party to a free
8 trade agreement with the United States that is
9 in effect on the date of the enactment of this
10 Act, or that enters into force under the Bipar-
11 tisan Trade Promotion Authority Act of 2002
12 (19 U.S.C. 3801 et seq.), or similar subsequent
13 authority.

14 (B) Any country designated as a CBTPA
15 beneficiary country under section 213(b)(5)(B)
16 of the Caribbean Basin Economic Recovery Act
17 (19 U.S.C. 2703(b)(5)(B)).

18 (C) Any country designated as a bene-
19 ficiary sub-Saharan African country under sec-
20 tion 506A(a)(1) of the Trade Act of 1974
21 (19U.S.C. 2466a(a)(1)), if the President has
22 determined that the country has satisfied the
23 requirements of section 113 of the African
24 Growth and Opportunity Act (19 U.S.C. 3722),

1 and has published that determination in the
2 Federal Register.

3 (D) Any country designated as an
4 ATPDEA beneficiary country under section
5 204(b)(6)(B) of the Andean Trade Preference
6 Act (19 U.S.C. 3203(b)(6)(B)).

7 (3) TERMINATION.—The fee under paragraph
8 (1) shall apply only to entries, or withdrawals from
9 warehouse for consumption, that are made during
10 the 10-year period described in subsection (a).

11 (e) DISTRIBUTION.—

12 (1) QUARTERLY DISTRIBUTIONS.—The Sec-
13 retary of Commerce, upon a majority vote of the
14 Board, taken annually, shall, not later than 60 days
15 after the end of each calendar quarter, distribute
16 amounts in the STAR Fund to one or more entities
17 that the Board considers appropriate to use the
18 funds in accordance with subsection (f).

19 (2) ELIGIBILITY REQUIREMENTS.—An entity
20 may receive funds under paragraph (1) only if the
21 entity—

22 (A) is an organization described in section
23 501(c)(6) of the Internal Revenue Code of 1986
24 that is exempt from tax under section 501(a) of
25 such Code;

1 (B) is an organization having at least 10
2 years of experience providing applied research,
3 technology development, and education to all
4 parts of the textile and apparel supply chain,
5 with a research capability demonstrated
6 through past research programs involving sup-
7 ply chain management, product development, fit
8 specifications, operations management, lean
9 manufacturing, and digital supply chain tech-
10 nologies on behalf of the sewn products indus-
11 try in the United States; and

12 (C) is comprised of members representing
13 the following segments of the supply chain:

14 (i) One or more of the following types
15 of producers: fiber, yarn, or fabric pro-
16 ducers in the United States.

17 (ii) Apparel producers in the United
18 States.

19 (iii) Retail companies in the United
20 States.

21 (f) USE OF FUNDS.—Funds distributed under sub-
22 section (e) may only be used to conduct applied research,
23 development, and education activities to enhance the com-
24 petitiveness of businesses in the United States in clean,

1 eco-friendly apparel, other textile and apparel articles, and
2 sewn-product design and manufacturing.

3 (g) REQUIREMENTS.—The Secretary of Commerce
4 may impose such requirements on the use of funds distrib-
5 uted under subsection (e) as the Secretary considers nec-
6 essary to ensure compliance with subsection (f), including
7 requiring reporting and assurances by the entities using
8 the funds.

9 (h) REPORTS TO CONGRESS.—The Secretary of Com-
10 merce shall submit to the Congress a report, not later than
11 April 1 of each year, explaining in detail how amounts in
12 the STAR Fund were distributed under subsection (e) and
13 used under subsection (f) during the preceding calendar
14 year.

15 **SEC. 6. EFFECTIVE DATE.**

16 This Act and the amendments made by this Act apply
17 to goods entered, or withdrawn from warehouse for con-
18 sumption, on or after the 15th day after the date of the
19 enactment of this Act.

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